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UNCLAS SECTION 01 OF 02 ROME 003594

SIPDIS

FROM FODAG

PARIS FOR OECD
STATE FOR EB HANS KLEMM, IO/S PODOLSKY AND IO/EDA JOHNSON
USDA FOR DR. TOM BILLY, SPECIAL ASSISTANT TO THE SECRETARY
AND STEVE HAWKINS, USDA/FSIS/ICS
USDA/FSIS/CODEX FOR ED SCARBROUGH
FDA/CENTER FOR FOOD SAFETY, CATHY CARNEVALE
USTR FOR RICHARD WHITE

E.O. 12958: N/A

TAGS: [AORC](#) [ETRD](#) [EAGR](#) [ETRD](#) [EAGR](#) [ECON](#) [FAO](#) [WHO](#) [ECON](#) [AORC](#) [FAO](#) [WHO](#)
SUBJECT: FAO INVOKES HELMS-BIDEN IN RESPONSE TO DEMARCHE ON
FAO/WHO CODEX EVALUATION

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REF: A) SECSTATE 110496; B) ROME 3324

1. SUMMARY. THE FAO'S DIRECTOR OF PROGRAM BUDGET AND EVALUATION RESPONDED AT LENGTH IN WRITING TO THE U.S. DEMARCHE (REFTEL B) ON THE TERMS OF REFERENCE OF THE FAO/WHO CODEX ALIMENTARIUS COMMISSION. OF PARTICULAR NOTE IS HIS COMMENT: "I DO NOT QUITE UNDERSTAND WHY THE U.S. SHOULD REQUEST AN EVALUATION WHICH IS LIMITED TO THE MANAGEMENT OF CODEX ALIMENTARIUS...THIS WOULD NOT SEEM IN LINE WITH THE PROVISIONS OF THE HELMS-BIDEN LEGISLATION WHICH CALLS ON THE UN SYSTEM TO EVALUATE ALL PROGRAMS WITH A VIEW TO ENSURING THEIR CONTINUING "RELEVANCE AND EFFECTIVENESS" AND FOR THEIR TERMINATION IN THE EVENT THAT THEY DO NOT MEET THIS CRITERIA." END SUMMARY.

2. THE FAO'S DIRECTOR OF PROGRAM BUDGET AND EVALUATION, TONY WADE, RESPONDED AT LENGTH IN WRITING TO THE U.S. DEMARCHE (REFTEL B) ON THE TERMS OF REFERENCE OF THE FAO/WHO CODEX ALIMENTARIUS COMMISSION. THE FULL TEXT OF HIS RESPONSE IS GIVEN BELOW.

3. BEGIN TEXT.

JULY 15, 2002

DEAR MS. HEILEMAN,

I REFER TO OUR PREVIOUS DISCUSSIONS ON THE EVALUATION OF CODEX ALIMENTARIUS AND OTHER FAO AND WHO WORK IN FOOD STANDARDS, INCLUDING MY E-MAIL IN PARTICULAR, TO YOUR FAX OF 25 JUNE 2002. WE MUCH APPRECIATE THE INTEREST THAT THE US
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AND MANY OTHER MEMBER COUNTRIES WITH DIFFERENT PERSPECTIVES ARE TAKING ON THIS EVALUATION, WHICH GREATLY UNDERLINES ITS IMPORTANCE. ON THE OTHER HAND, THE EXTENT TO WHICH CODEX REFLECTS DIRECTLY ON NATIONAL INTEREST HAS MEANT THAT WE HAVE HAD TO INSIST QUITE STRONGLY ON THE INDEPENDENCE OF THE EVALUATION FROM ANY ONE COUNTRY OR INTEREST GROUP. THE OPPORTUNITY FOR MEMBER COUNTRIES TO DISCUSS AND ACT ON THE RECOMMENDATIONS WILL BE EXTENSIVE IN THE FAO AND WHO GOVERNING BODIES AND IN CODEX ITSELF.

HOWEVER I DO NOT QUITE UNDERSTAND WHY THE US SHOULD REQUEST AN EVALUATION WHICH IS LIMITED TO THE MANAGEMENT OF THE CODEX ALIMENTARIUS. IN OUR VIEW, THIS WOULD NOT SEEM TO BE IN LINE WITH THE PROVISIONS OF THE HELMS-BIDEN LEGISLATION WHICH CALLS ON THE UN SYSTEM TO EVALUATE ALL PROGRAMS WITH A VIEW TO ENSURING THEIR "CONTINUING RELEVANCE AND EFFECTIVENESS" AND FOR THEIR TERMINATION IN THE EVENT THAT THEY DO NOT MEET THIS CRITERIA. IN POSING QUESTIONS ON THE PROGRAM PRIORITIES AND MODALITIES, THE EVALUATION DOES NOT PREJUDGE THE CONCLUSIONS TO BE DRAWN.

IT IS PERHAPS ALSO WORTH BEARING IN MIND THAT, IF THE EVALUATION HAD NOT ADOPTED THIS HOLISTIC PERSPECTIVE AND HAD INSTEAD FOCUSED NARROWLY ON CODEX, IT WOULD HAVE EXCLUDED VERY IMPORTANT ISSUES SUCH AS THE CAPACITY BUILDING NEEDS OF DEVELOPING MEMBER COUNTRIES TO PROTECT THE HEALTH OF THEIR PEOPLE, MEET EXPORT REQUIREMENTS OF IMPORTING COUNTRIES AND PARTICIPATE IN CODEX ITSELF.

THE FINAL POINT OF THE US AID-MEMOIR, EXPRESSES THE EXPECTATION THAT THE EVALUATION WILL LEAD TO WHO PROVIDING
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INCREASED RESOURCES FOR CODEX. IN OUR VIEW THIS REINFORCES THE NEED FOR A FULL EVALUATION. FOR BOTH FAO AND WHO IT IS CLEAR THAT FOR AN EVALUATION TO JUSTIFY RESOURCE CHANGES, IT

NEEDS TO TAKE A FUNDAMENTAL LOOK AT THE USEFULNESS OF A PROGRAM TO ALL MEMBER COUNTRIES.

I THEREFORE HAVE TO ADVISE THAT THE EVALUATION TERMS OF REFERENCE CANNOT BE ADJUSTED TO REFOCUS IT AS SOLELY A MANAGEMENT STUDY. HOWEVER, AS DISCUSSED WHEN THE EVALUATION TEAM VISITED WASHINGTON, AT THE FAO PROGRAM COMMITTEE AND NOW IN THE CODEX EXECUTIVE COMMITTEE, THE EVALUATION WILL DEFINITELY INCLUDE THE EXAMINATION OF MANAGEMENT AND ADMINISTRATIVE ARRANGEMENTS AND PROCEDURES IN CODEX AND, IN FACT, THE CHECK LIST OF POINTS PROVIDED BY THE US IN "ELEMENTS OF AN APPROPRIATE CODEX MANAGEMENT STUDY" IS HELPFUL IN THIS REGARD.

IN SOME AREAS THE EVALUATION MAY RAISE BASIC QUESTIONS ON TYPES OF STANDARDS TO BE DEVELOPED, OR ON THE INSTITUTIONAL ARRANGEMENTS, WHICH MANY BE REQUIRED. THESE ARE MATTERS ON

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INFO LOG-00 AGRE-00 ANHR-00 EB-00 UTED-00 HHS-01 TEDE-00
IO-00 OIC-02 STR-00 TEST-00 SAS-00 /003W
-----CE727E 221224Z /38

R 221222Z JUL 02
FM AMEMBASSY ROME
TO SECSTATE WASHDC 5004
INFO USMISSION GENEVA
AMEMBASSY PARIS
USDA FAS WASHDC 2230

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WHICH THE CODEX ALIMENTARIUS COMMISSION AND THE FAO AND WHO GOVERNING BODIES WILL HAVE TO MAKE DECISIONS BEFORE DETAILED CHANGES CAN BE APPROVED.

WE ARE AWARE THAT THE CONSULTATION WITH MEMBERS ON THE TERMS OF REFERENCE FELL SHORT OF YOUR EXPECTATIONS. THERE CAN ALWAYS BE GREATER CONSULTATION AND IN THIS CASE MORE WOULD CERTAINLY HAVE BEEN DESIRABLE. HOWEVER, WE ARE WORKING UNDER SEVERE TIME CONSTRAINTS TO COMPLETE THE MAIN WORK OF THE EVALUATION IN LINE WITH THE MEETING SCHEDULE OF THE GOVERNING BODIES. A HIGHLY CONSULTATIVE APPROACH IS BEING FOLLOWED IN THE WORK OF THE EVALUATION THROUGH QUESTIONNAIRES TO ALL COUNTRIES AND OTHER STAKEHOLDERS AS WELL AS EXTENSIVE COUNTRY VISITS. TWENTY-FOUR COUNTRIES THROUGHOUT THE WORLD AND THE EU COMMISSION ARE INVOLVED (AFRICA: COTE D'IVOIRE, MOZAMBIQUE, SENEGAL, SOUTH AFRICA, TANZANIA; THE AMERICAS: ARGENTINA CANADA, COSTA RICA, MEXICO, USA; ASIA PACIFIC: AUSTRALIA, BANGLADESH, FIJI, INDIA, JAPAN, PHILIPPINES, THAILAND; EUROPE: EU, FRANCE, NETHERLANDS, HUNGARY, SWITZERLAND; NEAR EAST: EGYPT AND JORDAN).

AS YOU KNOW, THE EVALUATION WAS DISCUSSED AT THE CODEX ALIMENTARIUS EXECUTIVE COMMITTEE ON 26 JUNE. THIS GAVE THE OPPORTUNITY FOR MEMBERS TO ADDRESS THE WIDE RANGE OF THEIR CONCERNS. THE SECTION OF THE EXECUTIVE COMMITTEE REPORT ADDRESSING THE EVALUATION ITEM IS ANNEXED FOR YOUR EASE OF REFERENCE. YOU WILL SEE THAT THE EXECUTIVE COMMITTEE WELCOMED THE EVALUATION AND THE RESPONSES MADE BY FAO AND WHO ON ENSURING REGIONAL REPRESENTATION IN THE INDEPENDENT EXPERT PANEL. MEMBERS ALSO RAISED ISSUES THAT WOULD

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CONTRIBUTE TO THE PROGRESS OF THE EVALUATION AND ITS EVENTUAL OUTCOME. AT THE SAME TIME THE REPORT DOES REFLECT CERTAIN OF YOUR CONCERNS, INCLUDING AN EMPHASIS OF SCIENCE-BASED CODEX STANDARDS AND THAT CONSIDERATION OF CULTURAL AND ETHICAL ISSUES SHOULD NOT SIDE-LINE THE MAJOR AIMS OF THE

EVALUATION. WITHOUT PRE-JUDGING THE EVALUATION, IT WOULD NOT BE TOO SURPRISING IF THE EVALUATION FINDINGS WERE TO CONFIRM THE VIEW THAT THESE ISSUES ARE NOT OF CENTRAL IMPORTANCE TO CODEX.

PLEASE BE ASSURED THAT WITH DUE REGARD TO THE INDEPENDENCE OF THE EVALUATION, FAO AND ITS PARTNER WHO WILL BE INSISTING ON EVIDENCE-BASED FINDINGS FROM THE EVALUATION WHICH TAKE FULL ACCOUNT OF MEMBERS' VIEWS EXPRESSED IN THE QUESTIONNAIRES AND COUNTRY VISITS. WE WILL ALSO BE LOOKING TO THE EVALUATION FOR REALISTIC AND OPERATIONAL RECOMMENDATIONS, WHICH WILL HELP US STRENGTHEN FAO AND WHO SERVICES TO MEMBER COUNTRIES IN THE AREAS OF FOOD SAFETY AND RELATED ISSUES OF THE APPLICATION OF STANDARDS IN TRADE.

WE REMAIN AVAILABLE FOR TO DISCUSS THIS MATTER FURTHER AT YOUR CONVENIENCE AND HAVE COPIED OUR REPLY TO WHO SINCE THEY RECEIVED A SIMILAR LETTER FROM THE US MISSION IN GENEVA.

YOURS SINCERELY,

TONY WADE
DIRECTOR
OFFICE PROGRAM BUDGET AND EVALUATION.

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